

Seattle Office of Labor Standards

SECURE SCHEDULING ORDINANCE

November 2018





Seattle Labor Standards

1. Paid Sick and Safe Time
2. Fair Chance Employment
3. Minimum Wage
4. Wage Theft
5. Hotel Employees Health and Safety Initiative
6. **Secure Scheduling**
7. Domestic Workers
8. Commuter Benefits



Secure Scheduling Coverage

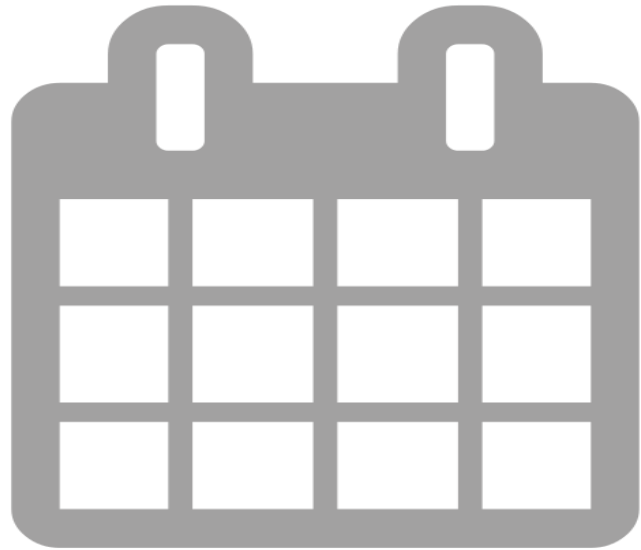
**Food
Services &
Retail**



**500+
employees
worldwide**



Secure Scheduling Requirements



- 1. Advance notice of schedule**
- 2. Pay for schedule changes**
- 3. Good faith estimate of work schedule**
- 4. Right to request input into work schedule**
- 5. Right to rest between work shifts**
- 6. Access to hours for current employees**

Secure Scheduling Requirements



7. **No pattern & practice of under-scheduling**
8. **No retaliation**
9. **Poster**
10. **CBA waiver**
11. **Agency enforcement**
12. **Private right of action**



Secure Scheduling Poster

Amharic / አማርኛ

عربية / Arabic

Chinese / 中文

Farsi / ایتوقسه

French / Français

Japanese/日本語

Khmer / ភាសាខ្មែរ

Korean / 한국어

Oromo / Oromiffa

Punjabi / ਪੰਜਾਬੀ

Russian / русский

Somali / af Soomaali

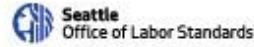
Spanish / Español

Tagalog

Thai / ภาษาไทย

Tigrigna / ትግርኛ

Vietnamese / Tiếng Việt



SECURE SCHEDULING ORDINANCE
SAC 24.22

Covers hourly employees at retail and food services establishments with 500+ employees worldwide
Full service restaurants also must have 40+ full-service locations worldwide

EFFECTIVE JULY 1, 2017

- Good faith estimate.** For the upcoming year, employer must provide a written forecast of employee's median hours per work week and whether to expect on-call shifts.
- Right to request input into work schedule.** Before the work schedule is posted, employer must grant schedule requests related to a major life event (employee's transportation, housing, other jobs), education, caregiving, and self-care for serious health condition) unless the employer identifies a bona fide business reason (significant cost or disruption).
- Advance notice of work schedule.** Employer must post work schedules 14 days in advance.
- Right to rest between work shifts.** Employer must pay time-and-a-half for any hours worked between closing and opening (closing) shifts that are separated by less than 10 hours.
- Access to hours for current employees.** Before hiring new employees, employer must post notice of available hours for 3 days and offer the job to qualified, current employee(s), subject to exceptions.

Premium pay for work schedule changes after schedule is posted.

- Additional hours:** Employer must provide an additional hour of pay, plus wages earned.
- Subtracted hours:** Employer must pay for half of the hours not worked, plus wages earned, for regular and on-call shifts.
- Exceptions to premium pay requirements:**
 - Grace period for additions or subtractions of 15 minutes or less.
 - Employee requests for schedule changes and/or shift swaps with another employee.
 - Employer reduction of hours due to disciplinary reasons.
 - Employer inability to begin or continue operations due to events such as a public utilities failure, a natural disaster, or inclement weather.
 - Employee acceptance of additional hours in response to employer:
 - Mass communication about additional hours due to scheduled employees not being able to work; or
 - In-person group communication about additional hours that are due to unanticipated customer needs and are consecutive to employee's current shift.

This law applies to employees regardless of immigration status. Employers must comply with this law. Employers are not allowed to engage in pattern or practice of unlawful activity. Retaliation is illegal. The Seattle Office of Labor Standards provides language translations, interpretations, and access solutions for people with disabilities upon request.

Employers Private and free services, including technical assistance and training.	Employees Private and free services, including training, intake, and investigations —it's a knock-in court.	Contact Us 206-694-4369 www.seattle.gov/labstandards
---	---	---

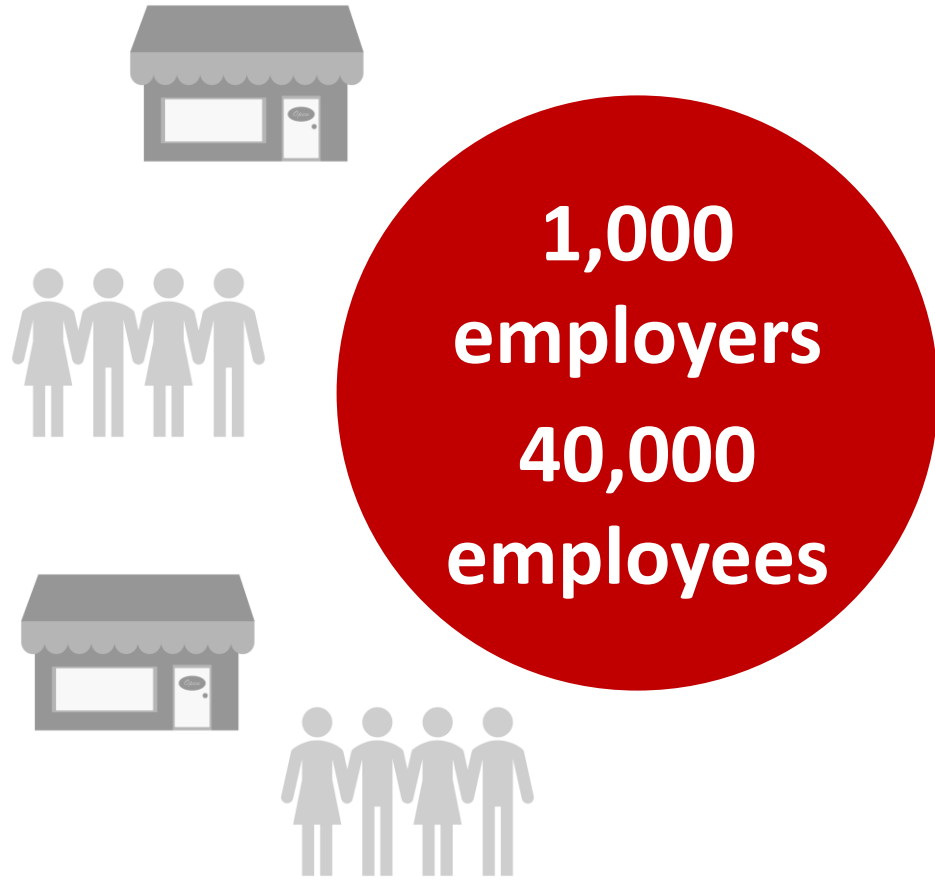
17+ Languages

TRANSLATIONS FOR YOU PLEASE ASK: Amharic / አማርኛ Arabic / العربية Chinese / 中文 Danish / dansk Farsi / ایتوقسه German / Deutsch Hindi / हिन्दी Italian / Italiano Japanese / 日本語 Korean / 한국어 Oromo / Oromiffa Somali / af Soomaali Spanish / Español Tagalog Thai / ภาษาไทย Tigrigna / ትግርኛ Vietnamese / Tiếng Việt and more.

Poster created by the Seattle Office of Labor Standards; some graphics courtesy of the Seattle City Council



Community & Business Engagement



Inclusive legislation & rules process

Employers

- 560 inquiries
- 40 in-person and webinar trainings
- Postcard mailer & Templates

Employees

- 220 community partner trainings

Language Access

- 17+ languages

Enforcement



**\$56,000
for 333
employees**

276+ worker inquiries

15 Investigations

- 7 resolved
- 8 open
- (9 waitlist)



Allegations - sampling

Issue	# Investigations
Advance notice of schedule	9
Pay for schedule changes	8
Good faith estimate	3
Right to request	--
Right to rest	3
Access to hours	4
Retaliation	3
Poster	2

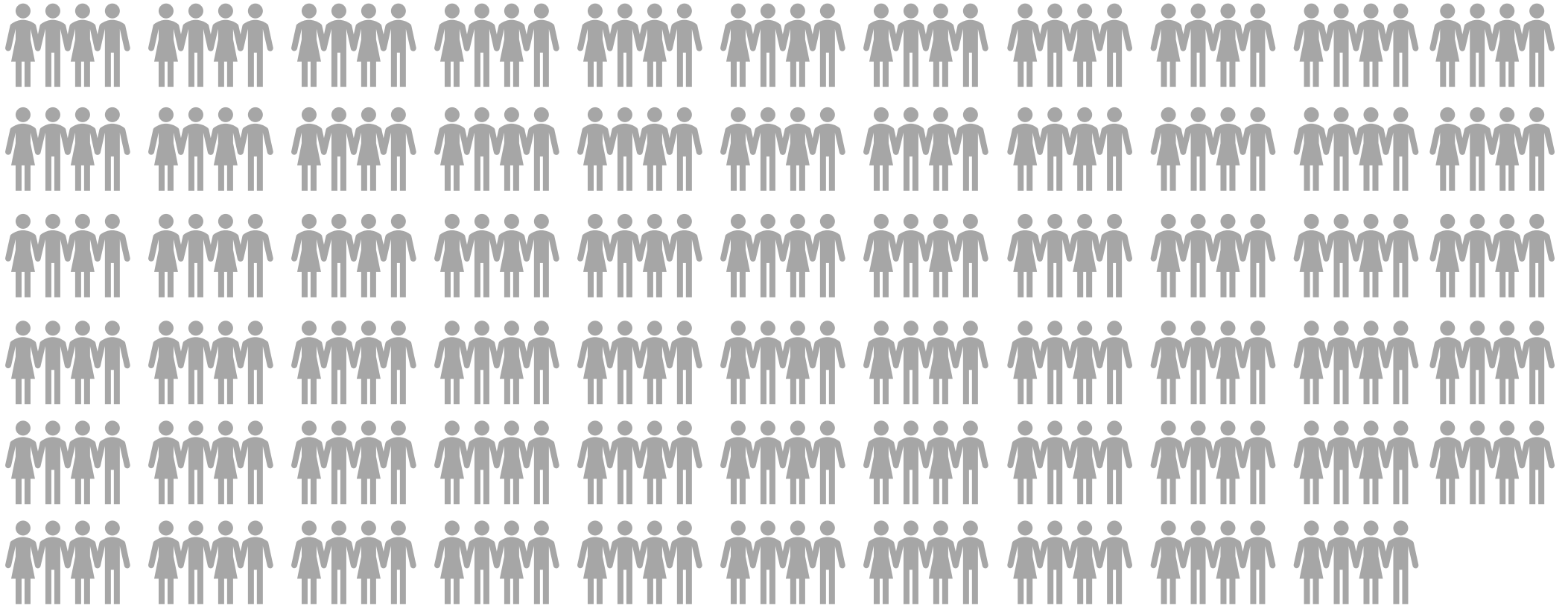
CVS
 Gap
 Gordon Biersch
 Elephant & Castle Pub
 California Pizza Kitchen
 Jack in the Box
 Office Depot
 Red Robin
 Target
 Tesla





GAP

Secure Scheduling ♦ 260 workers ♦ \$20,186 for workers policy changes & management training





Elephant & Castle Pub Restaurant

Minimum Wage ♦ Wage Theft ♦ Paid Sick & Safe Time ♦ Secure Scheduling

65 employees ♦ \$122,753 total (\$113,671 for workers & \$9,082 penalties)
policy changes & management training



Thank you!

